

TOWN OF ELMA PLANNING BOARD
1600 Bowen Road, Elma, New York 14059
Phone: 716-652-3260

MINUTES OF REGULAR MEETING ~ September 18, 2018

The Regular Meeting of the Town of Elma Planning Board, hereinafter referred to as the EPB, was held on Tuesday, September 18, 2018 at 7:00 PM in the Elma Town Hall at 1600 Bowen Road, Elma, New York.

PRESENT:

Chairman Michael Cirocco

Member David Baker

Member Michael Cleary

Member Gregory Merkle

Member James Millard

Member Robert Waver

TOWN REPRESENTATIVES:

Phyllis Todoro, Town Attorney

James Wyzykiewicz, Town Engineer

Raymond Balcerzak, Asst. Building Inspector

ABSENT:

Member Charles Putzbach

Alternate Thomas Reid

I. Approval of Regular Meeting Minutes ~ August 21, 2018

Motion made by Michael Cirocco and second by Robert Waver to approve the Minutes of the EPB Regular Meeting held on August 21, 2018. Motion Carried.

II. Site Plan Review for Gage Tree Experts @ 2841 Transit Rd

Owner: Anthony Tiranno

Applicant unable to attend- tabled

III. Site Plan Review for 1 lot subdivision on vacant land on the corner of Jamison Rd and Hickory Hill

Applicant: Richard Campbell

Mr. Campbell presented his plan to create a 1 lot subdivision on his property at the corner of Jamison Rd and Hickory Hill Rd. He is splitting this lot off an existing lot. It is zoned residential "C" and the site "perks". Chairman Cirocco explained that the EPB is only a recommending body for this project and that final approval needs to come from the Elma Town Board. Town Code 123-2 requires the lot to be 120' x 250'. This lot is more than that. Chairman Cirocco asked Mr. Campbell if there was a reason the lot has 130' of frontage but narrows to 120' in the back. Mr. Campbell explained this was

Site Plan Review for 1 lot subdivision on vacant land on the corner of Jamison Rd and Hickory Hill (cont.)

because of a line of evergreen trees planted along the line! Mr. Cirocco referenced code 123-7-d-5 noting the application requires a SEQR. One was provided. The EPB reviewed the SEQR. No one had any concerns. Chairman Cirocco asked the applicant to provide the Elma Town Board an overall map of the site to prove that it does not create a non-conforming lot. Mr. Baker asked about the zoning of the lot. It is zoned residential "C" but on the zoning map appears to be next to residential "B". Mr. Millard asked about the location and shape of the lot. Mr. Campbell went over the planned lot.

Chairman Mike Cirocco motioned to recommend that the Elma Town Board consider approval of a 1 lot subdivision on the corner of Jamison Rd and Hickory Hill Rd., contingent on the applicant providing an overall site plan showing that the creation of said lot does not create a non-conforming lot from the existing lot. The motion was seconded by Gregory Merkle. Yes- 6, no-0. Motion Carried.

IV. Site Plan Review for open space development at corner of Rice Rd & Girdle Rd

Applicant: 460 E. Center LLC, John Bierl

Mr. John Bierl presented a proposal for open space development at the corner of Girdle Rd & Rice Rd. The property is zoned residential "B". Chairman Cirocco referenced town code 100-2. The plan presented shows 5 proposed lots greater than 5 acres each. Each lot has the proper frontage. Chairman Cirocco asked Mr. Bierl if he know if the property "perks". Mr. Bierl said he did not think it would and that they would be sand filters. Chairman Cirocco read town code 100-2b. Mr. Millard questioned the zoning of the lots, saying that they appear to be partially zoned residential "B" & Residential "C". Mr. Baker asked town attorney, Phyllis Todoro if open space development can be in any zone. It was stated that it doesn't matter as long as it is zoned residential. Mr. Baker asked about the location of a cell tower. Mr. Bierl said there is no cell tower near this property. Chairman Cirocco reviewed town code 100-2b, the lots have the appropriate frontage and access. Town Engineer, James Wyzykiewicz reviewed the site and stated that a drainage district would need to be formed. Mr. Baker asked for clarification that it is 1 drainage district for all 5 lots and not 5 separate drainage districts. The size of the lots meets the requirements of being more than 5 acres. Chairman Cirocco made note on the plans were the proposed septic systems would be and stated they must be 75' from the property line. Chairman Cirocco informed Mr. Bierl that there were deed restrictions that must be filed with the Erie County Clerk's office. The restrictions under code 100-2b-f2 states that the said lots must be at least 5 acres and can only be 1 family or 2 family dwellings.

Chairman Mike Cirocco motioned to recommend that the Elma Town Board consider approval of the application for open space development at the corner of Rice Rd & Girdle Rd. The motion was seconded by Michael Cleary. Yes- 6, no-0. Motion Carried.

V. Site Plan Approval for 42' x 96' greenhouse @ 850 Maple Rd
Applicant: Leon Berner

Mr. Berner presented his plan to build a 42' x 96' greenhouse at 850 Maple Rd.

Mr. Baker asked about needing a variance since the new greenhouse would only be 40' from the road rather than 50'. Mr. Berner explained that he wanted to keep it even with the current building and that he had already received the variance.

The EPB reviewed the checklist.

Zoning- The property is zoned agricultural "C".

Site & Building details- A stamped survey, property details and layout for multiple building was provided, intended use and a photo of the proposed greenhouse were also provided. An engineered blue print is not required.

Lighting- There are no plans for additional external lighting currently. The applicant was advised that if any new lighting is planned he must come before the EPB with those plans.

Parking- There is more than enough parking space. Mr. Berner explained a possible plan to move the entrance away from the corner and further down Maple Rd. to help improve the traffic pattern. There is also an entrance/exit onto West Blood Rd.

Drainage- The plan was reviewed by the James Wzykiewicz, town engineer who expressed no concerns with the plan.

Signage- There are no current plans for a sign. Mr. Berner was advised that when they plan to put up a sign that he must contact the building department to make sure it meets town code.

Landscaping- No additional landscaping is required.

Water Service/ Septic- There is no plan for additional septic currently but may in the future.

Fire Department- The EPB stated that they had no concerns about emergency accessibility, as the site is very open and accessible.

The EPB reviewed the SEQR. The EPB checked box #2 on the SEQR. James Millard made a motion to approve the SEQR and seconded by Robert Waver. Yes-6 No- 0. Motion Carried.

Chairman Mike Cirocco entertained a motion to give Final Site Plan approval for a new 42' x 96' greenhouse at 850 Maple Rd. A motion was made by Michael Cleary and seconded by Robert Waver. Yes - 6, No - 0. Motion Carried.

VI. Adjourn

Motion to adjourn at 7:59pm by unanimous consent.

Respectfully submitted,

Barbara Blair

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Elma Planning Board Secretary

